REMARKS

Claims 1-10 have been cancelled and new claims 21-30 are now pending in the present application. No new matter has been added by this Amendment.

Claims 1-7 and 10-20 stand rejected under 35 USC 103(a) as being unpatentable over Eriksson et al. (2002/0164980). Claims 8 and 9 stand rejected under 35 USC 103(a) as being unpatentable over Eriksson et al. in view of Chuah (U.S. Patent 6,839,339). These rejections are respectfully traversed for the following reasons.

New claim 21 describes a method for transmitting IP packets between a Radio Network Controller (RNC) and a further element of a mobile radio network. The objective of the method is to efficiently change a codec mode that was requested by a mobile terminal (e.g. mobile computer), if the situation on an air interface requires.

According to the invention, the mobile terminal sends an IP packet in uplink direction to an RNC. The IP packet comprises a first coder-decoder mode indication which indicates a coder-decoder mode with which subsequent downlink is originally requested. In Figure 10, the first codec mode indication corresponds to the value AMR req. In a typical situation, the mobile terminal asks for a high quality codec mode, which requires high bandwidth. However, as a practical example, the high quality codec mode might require too much bandwidth, in case there is too much traffic on an air interface. In networks today, mobile terminals are not informed about the traffic on air interfaces, but the RNCs are. Therefore the RNC initiates a change in the requested codec mode in order to reduce bandwidth consumption. Since RNCs are layer 2 devices, the RNC does not know, where in the payload of the IP packet the first codec mode indication is located and can therefore not simply overwrite the AMR req value. This is also not desirable, since it would require cross layer capabilities of an RNC, which would fundamentally contradict widely accepted telecom layer models. Therefore, the RNC writes in an encapsulation of the IP packet (thus outside of the IP packet) a second codec mode indication. In Figure 10, the second codec mode indication corresponds to RFCI req. The problem with such an encapsulated IP packet is that a destination

terminal, e.g. another mobile computer, requires the codec mode indication within the data packet (e.g. in the application layer). In order to keep to the layered concept of telecommunication networks, the encapsulated IP packet is sent to a coder-decoder indication exchange system (DCF), which replaces the first coder-decoder mode indication with the second coder-decoder mode indication. The IP packet is now ready to be decoded correctly by the destination terminal, which means, that after having processed the IP packet, the destination terminal encodes data with the codec mode that was chosen by the RNC.

In contrast to the above invention, Eriksson describes a method wherein flexibly configurable layer one transport channels produce radio blocks in response to communication information and extract communication information from radio blocks. One of the transport channels can be enabled to extract its associated communication information from a radio block while another of the transport channels is maintained disabled. The one transport channel provides the extracted communication information to a decision maker in a higher layer. In response to the extracted communication information, the decision maker decides whether the other transport channel should be enabled, and provides to the physical layer an indication of its decision. This is done in order to advantageously map frames in the core network onto channels on the air interface. However, Eriksson does not disclose a request for a codec mode that is sent in uplink direction and that generates encoding for the downlink with a requested codec mode. Eriksson also fails to teach or suggest the claimed method of writing the first codec mode indication within the IP packet by the mobile terminal and the second codec mode indication outside the IP packet by the RNC and the subsequent replacement of the first codec mode with the second codec mode which is performed by the coder-decoder indication exchange system.

Chuah describes header compression for GTP encapsulated packets. Chuah neither addresses the problem of codec mode changes, nor codec modes at all. Chauh's therefore fails to overcome the deficiencies of Eriksson.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to

withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122074800.

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